

UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING
CRIMINAL MINUTE SHEET
SENTENCING



1:45 pm, 6/24/19
Stephan Harris
Clerk of Court

Date: June 24, 2019 Before the Honorable: Alan B. Johnson

Time: 9:42am - 11:03am Interpreter: N/A

Case No: 18-CR-144-001-J Interpreter Phone: N/A

☐ Non-Public Document

UNITED STATES OF AMERICA

VS

James Michael Frey

Becky Harris
Clerk

Monique Gentry
Reporter

Jessica Hood
Probation Officer

Phil Feezer
Marshal

APPEARANCES

Government: Timothy Forwood

☐ CJA ☐ FPD ☒ RET ☐ WAIVED Defendant: Thomas Fleener

Other: The defendant and the wife of the defendant addressed the Court

☒ Defendant acknowledges having read the presentence report

☒ Objections to presentence report

☐ Court DENIES objections to PSR

☒ Court GRANTS objections to PSR

Defendant's counsel brings up whether the JVTa is mandatory or at the discretion of the Court

☐ Witness(es)

☐ Exhibits received by Court

SENTENCING INFORMATION

☒ Defendant is committed to custody

For a period of 41 Months as to Count(s) 1

☐ Sentence shall be served concurrent to

☐ Defendant is sentenced to time served

☐ Plus up to ten (10) days to allow for deportation proceedings

☒ Upon release from custody, the defendant shall be on **supervised release**

For a period of 5 Years as to Count(s) 1

☐ Supervised Release shall be served concurrent to _____

☐ Defendant to be deported upon release from confinement

☐ Defendant is placed on **probation** for a period of _____

CONDITIONS OF PROBATION/SUPERVISED RELEASE

- | | |
|---|---|
| <input checked="" type="checkbox"/> Obey all laws, Federal, State & Local | <input checked="" type="checkbox"/> Report to Probation w/in 72 hours of release |
| <input checked="" type="checkbox"/> Abide by the standard conditions of supervision | <input type="checkbox"/> Provide complete financial disclosure as directed |
| <input type="checkbox"/> Home confinement for a period of _____ | <input checked="" type="checkbox"/> Electronic monitoring as directed by Probation |
| <input checked="" type="checkbox"/> Not use or possess firearms/ammunitions/explosives | <input checked="" type="checkbox"/> Not use or possess controlled substances/drugs |
| <input type="checkbox"/> Not purchase, use or possess alcohol/intoxicants; frequent places where alcohol is bought, sold or dispensed | <input type="checkbox"/> Not open new lines of credit or incur new debt |
| <input type="checkbox"/> Submit to mandatory drug testing (w/in 15 days of release) | <input checked="" type="checkbox"/> Mandatory drug testing is waived |
| <input checked="" type="checkbox"/> Notify Probation of change in economic circumstance | <input checked="" type="checkbox"/> DNA collection |
| <input type="checkbox"/> Notify employers of conviction | <input type="checkbox"/> Cognitive/Behavioral Treatment |
| <input checked="" type="checkbox"/> Standard Sex Offender Conditions Apply | <input checked="" type="checkbox"/> Submit to search as conducted by US Probation Officer |
| <input checked="" type="checkbox"/> Mental Health evaluation and follow through | |
| <input type="checkbox"/> Other (continued from conditions of Probation/Supervised Release) | |

MONETARY IMPOSITIONS

☒ Defendant shall pay **special assessment(s)** in the amount of \$100.00 as to Count(s) 1

For a total of: \$100.00

☒ Special assessment is due and payable immediately

☒ Special assessment shall be paid through the Inmate Financial Responsibility Program and any balance not paid shall be paid during the term of supervision but no later than 60 days prior to the expiration of supervision

☒ Special assessment shall be paid in monthly installments of at least 10% of gross monthly income during the term of supervision

☐ Special assessment remitted upon deportation of the defendant

☐ Other _____

☒ Defendant shall make **restitution** in the amount of \$5,000.00 as to Count(s) 1

For a total of: \$5,000.00

☒ Restitution is due and payable immediately

☒ Restitution shall be paid through the Inmate Financial Responsibility Program and any balance not paid shall be paid during the term of the supervision but no later than 60 days prior to the expiration of supervision

☒ Restitution shall be paid in monthly installments of at least

10% of gross monthly income during the term of supervision

☐ Restitution shall be paid jointly and severally with _____ during the term of supervision

☐ Other _____

☐ Interest requirement for fine/restitution/special assessment is waived

INMATE DETENTION STATUS

☐ Defendant is **remanded** to custody of US Marshal

☐ Defendant shall **surrender** to _____ USMS on/before _____ at _____

☒ Defendant shall **surrender** to designated prison on/before August 12, 2019 at 2:00 PM

☒ Defendant shall report to institution as directed by Probation

☒ Court **recommends placement** at Englewood, Colorado

☐ Court recommends defendant participate in the prison industries program

☐ Court recommends defendant participate in Bureau of Prison's 500-hour Residential Drug Treatment Program

☐ Court recommends defendant participate in substance abuse treatment while incarcerated

☐ Court recommends ICE shall begin deportation proceeding during the service of this sentence

☒ Defendant advised of right to appeal ☐ Defendant waives right to appeal

☐ Defendant shall forfeit the following property _____

☒ Count(s) 2 of the Indictment **dismissed** on the motion of the United States

☐ Other _____

MISCELLANEOUS